

March 2, 1984

LB 682

direct or indirect relationships being covered. This, as you know, if you have been following the issue, is to be excluded from the bill. It is language that has always gotten us into difficulty. We struck it from three other political subdivisions and we want to make sure that it is also covered for schools as well, a simple bill drafting error. We need to adopt this amendment now and I will proceed to explain the major provisions of the bill upon adoption of this amendment.

SPEAKER NICHOL: Senator Jacobson. The question is the adoption of the Landis amendment. All those in favor vote aye, opposed vote nay. Okay, we're voting on the Landis amendment. Let's go. Record, Mr. Clerk.

CLERK: 26 ayes, 0 nays on adoption of Senator Landis' amendment, Mr. President.

SPEAKER NICHOL: The Landis amendment is adopted. Now we are back on the bill, Senator Landis.

SENATOR LANDIS: Mr. Speaker and members of the Legislature, I am glad there are so very few of us on the floor today. I am glad that the audience for this message is so small but I screwed up. Last year I passed a bill, and although it was good in theory, it didn't work very well in practice and had to take the summer to clean up the way it was going to operate in the field. I screwed up because I didn't realize that I had left in a very troublesome concept in the conflict of interest law. And that is the obligation to forbear from contracting on both direct and indirect relationships, a term that has never been defined in Nebraska law and which is simply a matter of hit and miss. LB 682 strikes the notion of direct and indirect relationships as far as conflict of interest and it defines for the first time what is a conflict of interest. It is a financial transaction in which a board member or a public official stands on both sides of the contract as the maker of the contract for the city or the school and as the recipient of the contract as a business owner or agent who will be receiving a salary or commission for the execution of the contract. I have made the paper work much easier.